

NO. PD-0653-20
IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
12/18/2020
DEANA WILLIAMSON, CLERK

RAUL BAHENA
APPELLANT

VS.

THE STATE OF TEXAS
APPELLEE

**On Petition For Discretionary Review from
The Fourteenth Court of Appeals
In No. 14-18-00760-CR Affirming
The 177th Criminal District Court of
Harris County, Texas, Cause No. 1552218,
Honorable Leslie Brock Yates, Judge Presiding**

**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

Crespin Michael Linton
440 Louisiana, Suite 900
Houston, Texas 77002
Texas Bar No. 12392850
(713) 236-1319
(713) 236-1242 (Fax)
crespin@hal-pc.org

**APPELLANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

TO THE HONORABLE JUSTICES OF THE COURT OF CRIMINAL APPEALS:

Comes now Raul Bahena, Appellant, and files this motion for an extension of 45 days in which to file Appellant's Brief. In support of this motion, Appellant shows the court the following:

1.

On June 23, 2020, the Fourteenth Court of Appeals affirmed Appellant's conviction for Aggravated Robbery in an opinion.

2.

This Court granted Appellant's Petition For Discretionary Review on November 18, 2020. The deadline for filing the Appellant's Brief is December 18, 2020. A period of 15 days from that date has not elapsed before the filing date of this motion. The Appellant has not requested an extension prior to this request.

3.

Appellant requests an extension of time to file the Appellant's Brief because Appellant's counsel had to prepare for the following felony jury trial in the 239th District Court of Brazoria County in Cause Nos. 83630-CR, 85966-CR, and 85967-CR **State v. Addison**. Additionally, counsel is presently working on the Appellant's Brief in 14-20-00831-CR in the murder case of **Roque v. State** and the application for PDR in the case of **Romano v. State** in Cause No. 14-18-01073-CR.

4.

On December 18, 2020, Appellant's counsel conferred with opposing counsel who indicated there was no opposition to this request for an extension of time.

Wherefore, Appellant prays the court grant this motion and extend the deadline for filing Appellant's Brief to February 5, 2021.

Respectfully submitted,

/s/ Crespin Michael Linton
Crespin Michael Linton
440 Louisiana, Suite 900
Houston, Texas 77002
Texas Bar No. 12392850
(713) 236-1319
(713) 236-1242 (Fax)
crespin@hal-pc.org

CERTIFICATE OF SERVICE

I do hereby certify that on this the 18TH day of December 2020, a true and correct copy of the Appellant's Unopposed Motion For Extension Of Time To File Appellant's Brief was delivered to the Assistant District Attorney of Harris County, Texas by email at mccrory_daniel@dao.hctx.net and the State Prosecuting Attorney, P.O. Box 12405 Austin, Texas 78711 at information@spa.texas.gov

/s/ Crespin Michael Linton
Crespin Michael Linton

CERTIFICATE OF SERVICE

I do hereby certify that on this the 18TH day of December 2020, I have conferred with the State Prosecuting Attorney and Daniel McCrory with the Harris County District Attorney's Office who indicated that this motion is unopposed.

/s/ Crespin Michael Linton
Crespin Michael Linton

ORDER

On this the ____ day of _____, 2020, came to be heard Appellant's Unopposed Motion For Extension Of Time To File Appellant's Brief, and it appears to the Court that this motion should be:

GRANTED

DENIED

IT IS THEREFORE ORDERED that the time for filing Appellant's Brief be extended to _____, 2021.

JUSTICE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Crespin Linton
Bar No. 12392850
crespin@hal-pc.org
Envelope ID: 49095309
Status as of 12/18/2020 3:07 PM CST

Associated Case Party: Raul Bahena

Name	BarNumber	Email	TimestampSubmitted	Status
Crespin Michael Linton		crespin@hal-pc.org	12/18/2020 2:35:43 PM	SENT

Associated Case Party: State of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel McCrory		mccrory_daniel@dao.hctx.net	12/18/2020 2:35:43 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Stacy M.Soule		information@spa.texas.gov	12/18/2020 2:35:43 PM	SENT